

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**APOLLO SAMPLE and SHELBY
SAMPLE,**

Plaintiffs,

v.

MIDLAND MORTGAGE CO.,

Defendant.

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Civil Action No. 3:21-cv-3032-X-BH

UNOPPOSED MOTION TO WITHDRAW

Pursuant to Local Rule 83.12(a), Plaintiff's Apollo Sample and Shelby Sample ("Plaintiffs") file this Motion for Mark Thomas Sessums to Withdraw as Counsel for Plaintiffs ("Motion") and in support thereof, show the Court the following:

1. Good cause exists for withdrawal of Movants counsel because Plaintiffs have failed to comply with the terms of the employment agreement. Per the Plaintiffs' contract with Counsel, Counsel may terminate representation of Plaintiffs due to Plaintiffs' failure to comply with the employment agreement. Plaintiffs have also failed to respond in a timely fashion and Counsel is unable to effectively communicate with Plaintiffs in a manner consistent with good attorney-client relations.

2. Plaintiffs have been notified that they need to obtain new counsel.

3. A copy of this Motion has been delivered to and approved by Plaintiffs, as evidenced by Plaintiffs' signatures herein below.

4. This motion is not sought for the purpose of delay and will not result in a delay in the case.

5. Plaintiffs were notified of this motion and their right to object.

7. Based on the foregoing, Movants ask this Court to grant their Motion to Withdraw. A copy of this motion has been delivered to Apollo Sample and Shelby Sample. Apollo Sample and Shelby Sample have consented to the motion. In compliance with local rule Rule 83.12(a) the last known address of Plaintiffs is:

Apollo Sample and Shelby Sample
9210 Vagas Drive,
Rowlett, Texas 75008.
thealpigroup@gmail.com
214-680-9454

8. There are no pending hearings and deadlines in this case are:

a. Discovery and Discovery Motions

All discovery shall be initiated in time to be **completed** by **May 24, 2022**. Any motions to compel discovery must be filed no later than **April 24, 2022** in order to allow sufficient time for determination prior to the expiration of the discovery period. No discovery requests have been served by either party in this case. There have not been any oral depositions in this case.

b. Expert Witnesses

Any party who bears the burden of proof on an issue shall designate its expert witnesses and provide expert reports to the other party no later than **March 16, 2022**. Any party without the burden of proof on an issue shall designate its responsive expert witness and provide expert reports to the other party no later than **April 15, 2022**. Rebuttal experts must be designated within twenty (20) days of the disclosure of a responsive expert.

Objections to expert witnesses under *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), shall be filed no later than **July 19, 2022**. Objections not filed shall be deemed waived.

c. Mediation

No later than **June 7, 2022**, the parties are to engage in mediation. A party with full settlement authority up to the limits of the opposing party's demand must be present throughout the discussions.

d. Joint Estimate of Trial Length and Status Report

The parties must file a joint estimate of trial length and joint status report concerning the progress of settlement negotiations no later than **June 14, 2022**.

e. Dispositive Motions

No later than **June 21, 2022**, all dispositive motions shall be filed.

f. Motions Not Otherwise Covered

A party must file a motion not otherwise covered by this order no later than **June 21, 2022**.

WHEREFORE, Movants respectfully request that the Court enter an Order allowing Mark Thomas Sessums to withdraw from the above-styled cause.

Respectfully submitted,

/s/ Mark Thomas Sessums

Mark Thomas Sessums

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ATTORNEY FOR PLAINTIFFS



Apollo Sample



Shelby Sample

CERTIFICATE OF CONFERENCE

I, Mark Sessums, certify that on April 11th, 2022 I conferred with counsel for Plaintiff, Crystal Gibson, regarding the issues contained in the motion, and counsel has indicated that they do not oppose this motion.

/s/ Mark Thomas Sessums

Mark Thomas Sessums

CERTIFICATE OF SERVICE

I hereby certify that on the April 11th, 2022, I electronically filed the foregoing document with the Clerk of the United States District Court for the Northern District of Texas, using the electronic case filing system of the Court causing it to be served electronically on counsel of record for all parties.

/s/ Mark Thomas Sessums

Mark Thomas Sessums